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TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 599. ZONOTIC DISEASE CONTROL

"Unofficial Version"
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**Title 310. Oklahoma State Department of Health
Chapter 599. Zoonotic Disease Control**

“Unofficial Version”

Subchapter 1 General Provisions
Subchapter 3 Rabies Control

Authority: 63 O.S., § 1-508]
[Source: Codified 6-11-98]

Subchapter 1 - General Provisions

Section 310:599-1-1	Purpose
Section 310:599-1-2	Definitions
Section 310:599-1-3	Disposal of remains of a disease suspect animal
Section 310:599-1-4	Responsibility for costs incurred

310:599-1-1. Purpose

Pursuant to the authority contained in 63 O.S. 1991, Section 1–508 et seq., the purpose of these sections is to protect the public health by establishing uniform rules for the prevention and control of zoonotic diseases in the state of Oklahoma.

[Source: Added at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added at 15 Ok Reg 2367, eff 6-11-98]

310:599-1-2. Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Animal" means any warm-blooded mammal.

"Cat" means any *Felis catus*.

"Currently vaccinated" means properly immunized by or under the supervision of a licensed veterinarian with an antirabies vaccine licensed and approved by the United States Department of Agriculture for use in that animal species, or meeting conditions specified in OAC 310:599-3-8. Vaccine must have been given at appropriate time interval(s) for the age of the animal and type of vaccine administered. Within 28 days after initial vaccination, a peak rabies antibody titer is expected, and the animal is considered immunized. Regardless of the age of the animal at initial vaccination, a booster vaccination should be administered one year later, then at appropriate time intervals based on the type of vaccine administered.

"Department" means the Oklahoma State Department of Health.

"Department designee" means an employee of the Oklahoma State Department of Health, or a county health department, who is acting within their scope of rabies control authority designated through the Commissioner of Health.

"Dog" means any *Canis familiaris*, excluding hybrids.

"Domestic animal" means a companion animal including dogs, cats, and ferrets; an equine animal; or a livestock animal.

"Euthanize" means the humane killing of an animal generally performed by a veterinarian, or personnel at an animal control facility under the indirect supervision of a veterinarian.

"Exposure to rabies" means a bite or introduction of saliva or neural tissue into open cuts in skin, or onto mucous membranes by an animal confirmed or suspected of being infected with rabies.

"Ferret" means any *Mustela putorius furo*.

"First party ownership" means a situation where the owner of a biting animal is directly related to the bite victim, that is parent-child, sibling-sibling, grandparent-child; or when the legal residence of the animal owner and the bite victim are the same.

"Home quarantine" means confinement and observation of an animal allowed at the animal owner's property for a specified time period, where one of the following acceptable methods of confinement for a dog are used: (a) complete indoor housing, (b) caging or kenneling in an enclosure with a securely latched door, or (c) yard confinement with perimeter fencing that the dog is unable to climb over or dig under. Acceptable methods of confinement for a cat or ferret are: (a) complete indoor housing, or (b) caging in an enclosure that prevents escape. The animal's needs for ambient temperature control, water, nutrition, elimination, and space to comfortably stand up and lie down must be adequately provided by the selected confinement method. Should the animal exhibit neurologic signs, die, or disappear during the specified period, an Oklahoma licensed veterinarian and the Department shall be immediately notified.

"Hybrid" means an offspring of wild animals crossbred to domestic dogs or cats; considered to be wild animals in the enforcement of OAC 310:599.

"Quarantine" means physical confinement of an animal during a specified time period when the animal is monitored for the development of disease. During this time period, the animal is prevented from having contact with other animals, and human contact is limited to as few caretakers as possible.

"Rabies" means an acute disease of humans and warm-blooded mammals caused by the rabies virus (genus *Lyssavirus*) that affects the central nervous system and is almost always fatal.

"Recognized animal control facility" means any facility operating for the purpose of stray animal control and/or animal welfare that is under contract or letter of agreement which identifies a licensed veterinarian responsible for animal quarantines.

"Recognized zoological park" means any member of the American Association of Zoological Parks.

"Severe injury" means any physical injury that results in broken bones or lacerations requiring multiple sutures or cosmetic surgery. [4 O.S. Supp. 1991, § 44 (3)]

"Wild animal" means an animal considered as wildlife; any animal not normally adapted to live in intimate association with humans nor raised for consumption by humans.

"Zoonotic disease" means a disease that is transmissible from animals to humans under natural conditions.

[Source: Added at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added at 15 Ok Reg 2367, eff 6-11-98; Amended at 17 Ok Reg 2945, eff 7-13-00; Amended at 34 Ok Reg 1290, eff 10-1-17]

310:599-1-3. Disposal of remains of a disease suspect animal

When a veterinarian provides the service of head removal and preparation of any animal specimen for testing of a zoonotic disease regulated under this chapter, it shall be the responsibility of the veterinarian to properly dispose of the body remains of the disease suspect animal in a manner that will prevent any potential future exposure by any person or other animal to that animal's tissues. The veterinarian is entitled to charge and collect the usual and customary fees for the disposal service.

[Source: Added as 310:599-3-10 at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added at 15 Ok Reg 2367, eff 6-11-98]

310:599-1-4. Responsibility for costs incurred

Payment of fees incurred for daily boarding, euthanasia, preparation and transport of specimens for laboratory testing, or any other costs incurred to comply with Chapter 310:599 shall be the responsibility of the person or entity owning, keeping, or harboring the animal. If the animal is a stray or wild animal without a custodian, the bite victim or their legal guardian, shall be responsible for payment.

[Source: Added as 310:599-3-11 at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added at 15 Ok Reg 2367, eff 6-11-98]

Subchapter 3 - Rabies Control

Section 310:599-3-1	Management of dogs, cats, or ferrets that bite a person
Section 310:599-3-2	Supervising veterinarian's responsibility
Section 310:599-3-3	Severe bite wounds inflicted
Section 310:599-3-4	Management of other animals that bite a human
Section 310:599-3-5	Vaccinated domestic animals exposed to a rabid animal
Section 310:599-3-6	Unvaccinated domestic animals exposed to a rabid animal
Section 310:599-3-7	Unvaccinated domestic animals exposed to a potentially rabid animal [Expired]
Section 310:599-3-8	Record of recognized rabies vaccination
Section 310:599-3-9	Administration of rabies vaccine
Section 310:599-3-9.1	Required immunization of dogs, cats, and ferrets
Section 310:599-3-10	Disposal of remains of a rabies suspect animal [Superseded]
Section 310:599-3-11	Responsibility for costs incurred [Superseded]
Section 310:599-3-12	Consumer notification required for over-the-counter rabies vaccine sales

310:599-3-1. Management of dogs, cats, or ferrets that bite a person

(a) Any person or entity owning, harboring, or keeping a dog, cat or ferret which in the preceding ten (10) days has bitten any person, shall upon receipt of written notice by the local animal control authority or Department designee, place such animal in quarantine under the supervision of a licensed veterinarian for a period of ten (10) days from the date the person was bitten. The impoundment and observation of the dog, cat, or ferret shall be conducted at the veterinarian's facility, or a recognized animal control facility. Unvaccinated animals shall be vaccinated against rabies on the final day of the ten (10) day observation period prior to discharge from the veterinarian's supervision.

(b) Exceptions to this rule include the following circumstances:

- (1) Dogs, cats, or ferrets involved in a first party ownership may be allowed to be placed in a home quarantine for a ten (10) day period immediately following the bite.
- (2) Dogs, cats, and ferrets meeting the criteria of currently vaccinated against rabies, and not inflicting a severe injury, shall be placed in a home quarantine until the end of a 10 day period from the bite. In some instances, a certification of animal health obtained after examination by a licensed veterinarian on the tenth day may be required by the Department or local animal control authority.

(3) Animals in service to the blind or hearing-impaired, and search and rescue dogs or other animals used for police enforcement duties shall be exempt from the quarantine when a bite exposure occurs and proper record of immunization against rabies is presented. A certification of animal health obtained after examination by a licensed veterinarian at the end of 10 days may be required by the Department.

(4) Stray or unwanted dogs, cats, or ferrets that have bitten any person may either be quarantined for ten (10) days at a veterinary facility or a recognized animal control facility; or immediately euthanized and the brain tissue submitted to the Oklahoma State Department of Health Public Health Laboratory for rabies testing. Upon successful completion of the ten (10) day period, a stray animal may be placed for adoption at the discretion of the animal control authority.

(5) Dogs, cats, and ferrets that bite a veterinarian or staff member under their supervision during a routine examination or elective procedure may be considered eligible for home quarantine if the bite victim and owner agree the animal will be examined by a licensed veterinarian at the end of the ten (10) day period from the bite to confirm the animal's health status.

(6) In rare instances, other good and valid health reasons of the owner or animal may be considered for justification to home quarantine (e.g., a bitch with a litter of very young puppies, an animal with a contagious disease, etc.). Approval for home quarantine will be determined by the Department or its designee.

[Source: Added at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added at 15 Ok Reg 2367, eff 6-11-98; Amended at 17 Ok Reg 2945, eff 7-13-00; Amended at 34 Ok Reg 1290, eff 10-1-17]

310:599-3-2. Supervising veterinarian's responsibility

It shall be the duty of the veterinarian in whose supervision the dog, cat, or ferret is placed to keep the animal isolated and secured in a separate cage or kennel and under observation for any symptoms of rabies. The veterinarian shall report immediately to the Department designee any changes occurring in the condition of the dog, cat, or ferret. In the event the animal being observed dies, or develops rabies-like symptoms within the specified period of confinement, the head of the animal shall be removed immediately and packed in a shipping container in accordance with instructions published on the rabies laboratory form, ODH Form 460, and sent to the Oklahoma State Department of Health Public Health Laboratory, 1000 N.E. Tenth Street, Oklahoma City, Oklahoma 73117-1299, for rabies testing.

[Source: Added at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added at 15 Ok Reg 2367, eff 6-11-98; Amended at 34 Ok Reg 1290, eff 10-1-17]

310:599-3-3. Severe bite wounds inflicted

In special circumstances involving a bite to any person, the Commissioner of Health, or a specifically designated representative, may require the immediate euthanasia of a specified animal for the performance of rabies diagnostics. "Special circumstances" refers to multiple and severe bite wounds, or deep punctures or lacerations to the face, head, or neck. Such requirement for euthanasia will be made following investigation of the bite report by the Department designee.

[Source: Added at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added at 15 Ok Reg 2367, eff 6-11-98]

310:599-3-4. Management of other animals that bite a human

(a) The final decision for animal destruction, quarantine, or other disposition of any animal other than a dog, cat, or ferret that bites a person, or otherwise potentially exposes a person to

rabies shall be determined through the Department. The decision will consider, but not be limited to:

- (1) The epidemiology and risk of rabies in the species of animal in question;
 - (2) Possible prior exposure to a rabies vector;
 - (3) Behavior of the animal at the time of the bite;
 - (4) Prior rabies vaccinations; and
 - (5) Other circumstances that may exist.
- (b) In some situations, the Department will consider the initiative and willingness of the individual so exposed to submit to postexposure anti-rabies immunization after being adequately informed of all potential risks.
- (c) Any biting animal determined to be at significant risk for the transmission of rabies shall upon written order by the Commissioner of Health, or a specifically designated representative, be humanely killed and the brain tissue submitted to the State Department of Health Laboratory for rabies testing.
- (d) The Department may order the quarantine of an animal, determined to be at very low risk for the transmission of rabies, for a thirty (30) day observation period as an alternate method to euthanasia and testing.

[Source: Added at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added at 15 Ok Reg 2367, eff 6-11-98]

310:599-3-5. Vaccinated domestic animals exposed to a rabid animal

Any domestic animal which is currently vaccinated against rabies and is exposed to a rabid animal shall be re-vaccinated within three (3) days of notification and isolated, by leashing or confinement under the owner's supervision, for a period of at least forty-five (45) days from exposure date.

[Source: Added at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added at 15 Ok Reg 2367, eff 6-11-98; Amended at 34 Ok Reg 1290, eff 10-1-17]

310:599-3-6. Unvaccinated domestic animals exposed to a rabid animal

- (a) Any dog, cat, or ferret that has never been vaccinated against rabies and is exposed to a rabid animal shall be:
- (1) Euthanized immediately either by a veterinarian of the owner's choice, or the local animal control officer; or
 - (2) Placed in strict quarantine and observed for a period of four (4) months for dogs and cats or six (6) months for ferrets under the supervision of a licensed veterinarian, either at a veterinary facility or a recognized animal control facility. The exposed animal shall be immediately vaccinated against rabies upon entry into quarantine and then given booster vaccinations at the third and eighth week of the quarantine period. Animals less than 16 weeks of age at the time of entry into quarantine may be required to receive a booster vaccine in addition to the above protocol.
- (b) Any dog or cat that is overdue for a booster vaccination, and has documentation of receiving a USDA-licensed rabies vaccine at least once previously by or under the supervision of a licensed veterinarian, shall be re-vaccinated and isolated, by leashing or confinement under the owner's supervision, for a period of at least 45 days from exposure date. Ferrets that are overdue for rabies booster vaccination shall be evaluated on a case-by-case basis by the Department, taking into consideration factors such as the severity of exposure, time elapsed since last vaccination, number of previous vaccinations, and current health status to determine the need for euthanasia or immediate booster vaccination and isolation for a period of at least 45 days from exposure date.

(c) Any dog or cat that is overdue for a booster vaccination and without appropriate documentation of having received a USDA-licensed rabies vaccine at least once by or under the supervision of a licensed veterinarian shall be:

- (1) Treated as unvaccinated by the Department and either euthanized as described in (a) of this section; or
- (2) Immediately given a booster vaccination and placed in strict quarantine for a period of four months under the supervision of a licensed veterinarian; or
- (3) Prior to booster vaccination, the owner may work with the licensed veterinarian to conduct prospective serologic monitoring. Serologic monitoring shall include collecting paired blood samples to document prior vaccination by providing evidence of an anamnestic response to booster vaccination. If an adequate anamnestic response is documented, the animal can be considered to be overdue for booster vaccination as described in (b) of this section. If there is inadequate anamnestic response, the animal is considered to have never been vaccinated and managed as described in (a) of this section.

(d) Any livestock or equine animal which is not currently vaccinated and is exposed to a rabid animal will be managed according to the most current Compendium of Animal Rabies Control published by the National Association of State Public Health Veterinarians, Inc. and any State Department of Agriculture guidelines that may apply.

[Source: Added at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added at 15 Ok Reg 2367, eff 6-11-98; Amended at 17 Ok Reg 2945, eff 7-13-00; Amended at 34 Ok Reg 1290, eff 10-1-17]

310:599-3-7. Unvaccinated domestic animals exposed to a potentially rabid animal [EXPIRED]

[Source: Added at 14 Ok Reg 3581, eff 7-18-97 through 7-14-98 (emergency)¹]

EDITOR'S NOTE: ¹This emergency action expired without being superseded by a permanent action. Upon expiration of an emergency action enacting a new Section, the Section is no longer effective. Therefore, on 7-15-98 (after the 7-14-98 expiration of the emergency action), Section 310:599-3-7 was no longer effective. For the official text of the emergency rule that was in effect from 7-18-97 through 7-14-98, see 14 Ok Reg 3581.

310:599-3-8. Record of recognized rabies vaccination

(a) Record of vaccination by a veterinarian must be provided to determine the animal to be currently vaccinated against rabies. Veterinarians shall be required to keep a record of a rabies vaccination for a minimum period of three (3) years. This record must include: name, address, and telephone number of the owner of the animal; date of vaccination; animal identification; brand name of vaccine used, vaccine expiration date, and producer of vaccine.

(b) Three year immunity conferred by the second or subsequent boosters with a three year rabies vaccine will be recognized in the enforcement of OAC 310:599.

[Source: Added at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added at 15 Ok Reg 2367, eff 6-11-98]

310:599-3-9. Administration of rabies vaccine

(a) It is prohibited for anyone to administer rabies vaccine to any animal unless said vaccine is licensed for use in the particular animal species in question. Exceptions to this include:

- (1) The vaccination of wolf-dog hybrids with a rabies vaccine approved for dogs; or
- (2) Use at recognized nonprofit zoological parks, or research institutions; or
- (3) Special approval by the Commissioner of Health permitting the vaccination in a particular species where the preponderance of scientific literature suggests vaccine efficacy, and vaccine usage is determined to protect public health and safety.

(b) Animals vaccinated per these exceptions will still be considered as a wild animal species if involved in a bite to a person, and will be handled according to OAC 310:599-3-4.

(c) Rabies vaccines presently licensed are listed in the most current Compendium of Animal Rabies Control published annually by the National Association of State Public Health Veterinarians.

[Source: Added at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added at 15 Ok Reg 2367, eff 6-11-98; Amended at 34 Ok Reg 1290, eff 10-1-17]

310:599-3-9.1. Required immunization of dogs, cats, and ferrets

(a) The owner or custodian of a domestic dog, cat, or ferret shall cause the animal to be vaccinated against rabies by the time the animal is four months of age and at regular intervals thereafter according to the label directions of an approved rabies vaccine for use in that species, or as prescribed by ordinances or rules adopted by a municipality within whose jurisdiction the animal owner resides.

(b) A veterinarian who administers or supervises the rabies vaccination of a dog, cat, or ferret shall issue to the animal's owner/custodian a vaccination certificate that meets the minimum standards set forth in OAC 310:599-3-7. Animal identification including, but not limited to species, gender, age, and predominant breed and coloring must be indicated on the vaccination certificate.

[Source: Added at 15 Ok Reg 2367, eff 6-11-98]

310:599-3-10. Disposal of remains of a rabies suspect animal [SUPERSEDED]

[Source: Added at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added as 310:599-1-3 at 15 Ok Reg 2367, eff 6-11-98 (emergency)]

310:599-3-11. Responsibility for costs incurred [SUPERSEDED]

[Source: Added at 14 Ok Reg 3581, eff 7-18-97 (emergency); Added as 310:599-1-4 at 15 Ok Reg 2367, eff 6-11-98]

310:599-3-12. Consumer notification required for over-the-counter rabies vaccine sales

Each supplier or retailer of over-the-counter (OTC) animal rabies vaccine for administration by any person other than a licensed veterinarian shall post notification to the consumer that only the records of a licensed veterinarian will be acceptable documentation of a rabies vaccination in the application of requirements in OAC Chapter 310:599. The standard written notice shall be obtained from the Department and posted directly over, or near the retail location of the OTC rabies vaccine in a manner that the text of the notice is easily visualized by consumers.

[Source: Added at 17 Ok Reg 2945, eff 7-13-00]